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CIVIL AFFAIRS GUIDE ;
THE PROBLEM OF GERMAN
YOUTH UNDER MILITARY
GOVERNMENT



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SUMMARY

1. The control of German youth is concentrated in the hands of the Hitler Youth, which directly supervises all youth activities and which cooperates with other Party organizations and state agencies on all matters of youth guidance and welfare. Children and juveniles in or out of school are subject to political and ideological indoctrination.

2. The break-down of Nazi controls will set free 12 million children and juveniles between the ages of 6 and 18 who constitute a problem and perhaps a menace to the security of the troops and to the maintenance of law and order.

3. To insure the security of the troops and to maintain law and order, it is recommended that the Hitler Youth be totally abolished, its functions suspended, the higher leaders detained, and its property be taken into custody.

4. The functions performed by the Hitler Youth and related Nazi agencies should revert to other youth agencies insofar as they are able to perform the required functions.

5. It is recommended that the establishment of school and youth councils on the local levels be encouraged; these would operate in a capacity auxiliary to Military Government or to the temporary local administration.

6. It is suggested that properly supervised youth activities be encouraged and local youth organizations be allowed if and when military security permits.

7. A thorough investigation of such youth organizations, their leaders and programs, and the supervision of their activities, is recommended in order to prevent the organization of disguised Nazi groups.

I. ANALYSIS OF THE PROBLEM

A. Introduction

This guide, the first of a series of three, deals with the problems Military Government may be expected to face with regard to youth; the second and third concern elementary and higher education. Youth, in the terminology of this guide, includes children under 14 and juveniles from 14 to 18 years of age.

The problems dealt with are divided into two categories. The first is youth assistance (*Jugendhilfe*), which comprises both youth guidance (*Jugendpflege*) and youth welfare (*Jugendwohlfahrt*). Youth guidance includes problems of youth employment, health care, recreational facilities, and juvenile law. Youth welfare, on the other hand, refers to the care of underprivileged, physically or mentally deficient, and delinquent youth. Both youth guidance and youth welfare are

carried out by adult organizations, either public or private. The second category of problems is that of youth activities, including both recreational and cultural activities. These are, as a rule, carried on within a youth movement or youth organization. They are nominally carried out free from adult supervision but are actually assisted by adult groups.

B. Youth Under the Weimar Republic

Under the Weimar Republic youth was allowed to develop free from coercive interference by the state. The authorities took part in the welfare and guidance of youth only for protective purposes.

1. **Youth welfare and guidance.**—*a. Youth offices.*—To promote youth welfare and guidance the Weimar Republic established youth offices (*Jugendämter*) operating under the regional and local welfare boards.¹ The functions of the youth offices included care of orphans and of foster and illegitimate children, education of neglected and delinquent children, cooperation with the juvenile courts, and assistance to underprivileged children. They maintained youth hostels, kindergarten, feeding centers, and playgrounds. The offices cooperated with private institutions of welfare, such as those of the churches.

State youth offices functioned in most of the States and in 8 of the 10 Prussian provinces. Local youth offices operated in most of Germany. The extent to which they went beyond their minimum functions and cooperated with youth organizations on recreational and other youth matters varied greatly according to local conditions.

b. Youth employment.—The supervision of juvenile workers and the enforcement of the juvenile employment regulations rested with the *Gewerbeaufsichtsämter* (factory inspectorates). Children under 12 were forbidden any kind of work; children 12 to 14 years of age could work only under exceptional conditions and only on part-time basis. Juveniles 14 to 18 years old could accept employment not exceeding 10 hours of work per day, with a maximum of 48 hours weekly. Although they were exempt from paying social insurance, they received unemployment compensation.

In 1931, to ease unemployment among juveniles, the states established voluntary labor service camps, within which public works projects were undertaken. The number of juveniles participating in this project never exceeded 60,000.

The political education of juvenile workers took place entirely within the youth organizations of the trade unions and political parties.

c. Juvenile courts.—The prosecution of juvenile delinquency was entrusted to juvenile courts attached to the *Amtsgerichte* (district courts). The jurisdiction of the courts extended over all juveniles 14 to 18 years of age. In exceptional cases persons 18 to 21 years of age were tried in juvenile courts. Children under 14 could not be prosecuted. Before prosecuting a juvenile the court had to notify the guardianship courts² and the youth offices which could assist the defendant at the trial. The punishments on the whole were mild; sentences for minors were regularly reduced in severity. In most

¹ *Jugendwohlfahrtsgesetz*, 9 July 1922.

² According to German law the guardianship court is in control of all children under guardianship, both orphans and potentially delinquent children

instances the maximum sentence was correctional education, entrusted either to the guardianship courts or to the youth offices.

2. Youth activities.—A genuine youth movement independent of adult supervision existed only before the First World War. It was then represented in the *Wandervogel*, an organization which developed out of the discontent of youth with the traditional conservatism of their elders. Because of the political developments following the First World War, the independent youth movement was superseded by youth organizations affiliated with adult groups—the churches, political parties, and trade unions. In these organizations, under the guidance of adults, children and juveniles were offered extra curricular activities, and at the same time they received political indoctrination. The youth organizations followed the general line of the sponsoring groups but the greater interest shown by Rightist and reactionary groups in the field of youth activities resulted in the predominance of militaristic and nationalistic ideologies. Liberal groups remained relatively small. The youth organizations of the Free Corps were close in their ideology to the Nazis and were the forerunners of the Hitler Youth.

Reich, states, and municipalities promoted the development of youth organizations through subventions, including the maintenance of youth hostels. The semiautonomous *Reichsausschuss für Jugendverbände* served as a representative body of the majority of the youth organizations (in 1932 it had 4,500,000 members). However, it had no legal or political powers.

C. Youth Under the Nazis

The Nazi imposition of controls over all youth organizations was achieved in three ways: (1) The introduction of the political element into all matters concerning youth; (2) the establishment of strict Party and state controls for the supervision and direction of youth guidance (*Jugendpflege*), which has absorbed all the functions formerly included under youth welfare and youth activities; (3) the establishment of the semblance of a youth movement through compulsory membership in the Hitler Youth for all German boys and girls.

The subordination of all youth matters to political considerations and the establishment of a central controlling agency, the Hitler Youth, were of primary importance to the Nazis. These measures provided for a constant check on all children and juveniles and for their thorough indoctrination in Nazi ideas.

1. Youth welfare and guidance.—The various functions included under youth guidance are performed by Party agencies, such as the German Labor Front (DAF), the National Socialist People's Welfare Scheme (*Nationalsozialistische Volkswohlfahrt-NSV*), and state institutions such as the youth offices or the juvenile courts. No longer independent as before 1933, these agencies cooperate with the Hitler Youth, which in its central organization maintains offices for labor, welfare, vocational guidance, and juvenile law. These offices are the actual bodies which determine policy in all fields of youth guidance.

a. Juvenile employment.—The general policy toward the employment of children and juveniles has not been radically changed. The controls, however, are under the factory inspectors, the *DAF Jugendamt*, and the corresponding Social Office of the Hitler Youth. The

supervision of juvenile workers in individual factories and enterprises is carried out by representatives of the *Jugendamt*. These youth trustees (*Jugendwarter*) are Hitler Youth members and wear the uniform of the Hitler Youth. They are not only in charge of enforcing the juvenile employment laws but also see to it that the proper political atmosphere prevails in the work shops. Working hours of children and juveniles are strictly regulated.³

The voluntary labor service camps have been abolished, and compulsory labor service for all juveniles has been introduced. There are many types of compulsory labor service; the chief ones are the *Landjahr* and the RAD (*Reichs Arbeitsdienst*), consisting of 1 year's service at the age of 17. This service is prerequisite to enlistment in the army and during the war has become an integral part of the pre-military training of the young. Since vocational training is considered to be one of the outstanding tasks of the Hitler Youth, numerous work shops and training centers have been set up jointly by the Hitler Youth and the DAF. Within them children and juveniles from 10 to 18 obtain professional training and indoctrination. The annual vocational competitions are designed to increase the efficiency of young workers and offer an opportunity for political manifestations. The contestant's performance in examinations on ideology is as important as his craftsmanship. The vocational guidance of youth is considered to be of great importance. Party, state, industry, and trade are equally interested in this matter and seek to insure the placement of juveniles in jobs for which they are best fitted. The young are exhorted to make use of the employment offices which, in cooperation with the Hitler Youth, supply the desired information and guidance.

b. Youth welfare.—The performance of youth welfare functions is divided between the regional and municipal youth offices and the Party organization NSV. The youth sections of the NSV are designed to cooperate with the Hitler Youth. In theory the youth offices are entrusted with the performance of all welfare functions. The NSV has progressively encroached on the functions of the youth offices with the result that the activities of the latter have been considerably curtailed. They consist now of only two main functions: Education of physically and mentally deficient children, and maintenance of reformatories for juvenile delinquents. The main functions of welfare have been taken over by the NSV.

The welfare functions of the NSV are of a precautionary nature. The organization assumes guardianship over orphans and children whose parents are politically unreliable. It is in charge of the Children's Evacuation Program (*Kinderlandverhückung*—KLV) and its camps, of feeding centers, of providing emergency homes for children and adults, and the like. The NSV also cooperates in the prosecution of juvenile delinquents and is entrusted with correctional work. It maintains homes for the reeducation of delinquents.

c. Juvenile law.—Until the outbreak of the war, no changes in juvenile law were made by the Nazis; since then, through several decrees (all summarized and coordinated in the law of 6 November 1943), very strict regulations have been instituted.

³ Law on Child Labor and Working Time of Juveniles, 30 April 1938. RGB1, I, 437 ff.

The juvenile courts no longer consist of one judge and two lay assessors. They are now composed of judges only, no longer of judges and laymen. They are attached to the *Landesgericht*. Their jurisdiction extends, in exceptional cases, to include even children of 12 years. On the other hand, juveniles 16 years or older are liable to prosecution for serious crimes by regular criminal courts. The scale of punishments has been raised accordingly. Corrective education, entrusted to the youth offices or the NSV, is often replaced by *Jugend-arrest* (juvenile arrest) consisting of detention from 1 to 4 weeks. Sometimes the *Jugendarrest* is replaced by *Arbeitsauflage*, hard labor to be performed during the leisure time of the delinquent. Juvenile imprisonment, ranging from 3 to 10 years, is also authorized. The sentence is served in special juvenile prisons. In addition special concentration camps for juveniles have been set up.

The juvenile courts cooperate closely with the Hitler Youth, which maintains a legal office in every *Gau*, *Gebiet*, and *Bann*. The legal officer of the Hitler Youth can order the court to initiate prosecution; on the other hand, the court keeps in touch with the legal officer and notifies him of the contemplated prosecution of a Hitler Youth member and the proceedings of the trial. Through its political power the Hitler Youth is in a position to influence the courts.

For offenses committed while performing official duties the juvenile offender may be tried by the special courts of the Hitler Youth.

2. Youth activities.—*a. General considerations.*—*i. Functions.*—The Hitler Youth as the supreme authority on youth matters exerts a dominating influence not only in youth guidance but also in the control and direction of youth activities. By means of extra-curricular activities, games, hikes, campings, theater and movie performances, discussion groups, and special instruction courses in music and crafts, the Hitler Youth performs the two main educational tasks in the upbringing of German youth—indoctrination and pre-military training. Thus informal instruction through the Hitler Youth takes precedence over formal school instruction.

ii. Hitler Youth and schools.—The schools, although they still impart the necessary fundamentals of learning, are used as important instruments of indoctrination by the Hitler Youth.⁴

The Hitler Youth has penetrated into the schools through the students, who are responsible primarily to the Hitler Youth and not to the schools; through younger teachers, who in the majority of cases are former Hitler Youth members and serve as leaders of local Hitler Youth units; and through official representatives on the Faculty (Trustee Teachers) and on the council of Youth Trustees (*Jugendwalter*), who are in a position to influence the school administration and policy to a considerable extent.

b. Organization.—The Hitler Youth is composed of four separate sections, corresponding to age groups of boys and girls. Boys between 10 and 14 belong to the *Jungvolk*; boys between 14 and 18 to the *Hitler Jugend* proper; corresponding groups for girls are the *Jungmädelsbund* and the *Bund Deutscher Mädel*. Thus the name Hitler Youth (*Hitler Jugend*) refers both to the entire organization (it is used in

⁴ See Civil Affairs Guide "German Elementary Schools under Military Government," and Civil Affairs Guide "German Higher Education and Adult Education under Military Government."

this sense throughout this guide) and at the same time to a specific section of the organization.

The vertical breakdown of its units, which are organized along military lines, reaches as far down as the squad consisting of 7 to 10 members. In addition to its regular units the Hitler Youth maintains special functional units in which membership is limited. Such units are the Hitler Youth *Nachrichten-Dienst* (Signal Corps), the *Motor-korps* (Motorized Unit), *Fliegerkorps* (Aviation Unit), Alpine Hitler Youth (Mountain Unit), Marine Hitler Youth (Marine Unit), and the *Streifendienst* (Patrol Service). The *Streifendienst* may be considered the most exclusive and most dangerous of these, for its members are trained by the SS and are potential SS men.

c. *Leaders.*—This detailed breakdown necessitates the employment of an enormous staff of unit leaders (about 760,000); including about 10,000 full-time salaried Party and state employees who are members of the *Führerkorps*. Minor officials are part-time adult functionaries, in many instances school teachers. A substantial number of the leaders of smaller units are boys and girls 16 to 18 years of age. For the indoctrination of its leaders the Hitler Youth offers courses of short duration in *Gau* and District camps or training schools. For the schooling of the higher leaders the Academy for Youth Leadership has been founded at Braunschweig; the preliminary training of the higher leaders takes place at the *Jugendführerschule* at Potsdam.

d. *Political indoctrination.*—The Hitler Youth has made every effort to make indoctrination inescapable and to insure the enthusiastic adherence of every youngster to the National Socialist cause. Only a small minority is likely to have remained opposed to or immune from it. The majority of juveniles and children willingly identify themselves and submit to Nazi ideology, to which they are attracted by the incentive of leadership, independence of home and school, the recognition given to them for their work, the feeling of importance they acquire by being given a position in the community, and the special branches of the Hitler Youth designed to attract boys and girls with particular interests. Because of the thorough indoctrination and the emphasis laid on developing leadership qualities in the young, they are relatively mature at an early age. Boys and girls over 14 years of age have definite political and social beliefs and in many instances assume the responsibility of grown ups.

D. Effects of the War

The war has affected German youth in three major ways:

First, the hold of the Hitler Youth and other party organizations on the young has been strengthened. Under emergency conditions, the multiplicity of activities has increased; Hitler Youth members now perform duties as auxiliary air-raid wardens, anti-aircraft auxiliaries, emergency rescue workers, first-aid helpers, and the like.

The various activities of the Hitler Youth claim most, if not all, of the free time of the young, and often encroach upon their school time. The disruption of life in many of the bombed cities necessitated the evacuation of children to safe areas under the joint responsibility of the NSV and the Hitler Youth. In special evacuation (KLV) camps their education continues under the surveillance of the Hitler Youth. About 2 million children under 14 are at present in the evacuation camps. In this manner the children have been further alienated

from the schools and from their parents and in many instances have been brought completely under the tutelage of the Party.

Second, while the hold of the Nazi organizations on the young has increased, their internal administration has at times been weakened. Many of the younger and more reliable leaders are in the army, and the organizations have had to operate with skeleton staffs or to call older persons to fill in the vacant posts. The Nazi allegiance of these substitute leaders is in many instances doubtful. At the same time a deterioration of discipline and a rise of juvenile delinquency have occurred. In some areas the shirking of Hitler Youth duties has become quite frequent in spite of the severe penalties imposed. To avert the occurrence of large-scale disturbances, penal measures with regard to juveniles have been tightened; these measures have thus far succeeded in keeping the young in line.

Third, the latent opposition of parents and teachers to the increasing hold of the Hitler Youth on children has occasionally become manifest in severe criticisms of the many official duties the young are asked to perform and the ensuing impairment of their education. Parents resent being separated from their children, and teachers whose authority has been undermined by the Hitler Youth regard its growing strength with jealousy.

E. Probable Situation at the End of Hostilities

At the cessation of hostilities controlling agencies of both state and Party will probably be in an advanced stage of disintegration. Central control may have collapsed; locally the dissolution of the Hitler Youth and other organizations may have been hastened by the dissenting elements within and the opposition without. However, it is likely that in many localities the Nazi terror apparatus will still be strong enough to keep the Hitler Youth and other organizations operating either openly or under cover.

Because of the probable break-down of controls, the closing of schools, unemployment, lack of food and shelter, and the general hostile attitude of the young, they will constitute a problem and possibly even a danger to the security of the troops and the maintenance of law and order.

Consequently, it will be to the best interest of Military Government to make provisions at an early stage for youth guidance and for the direction of youth activities into proper channels.

This function is obviously not one with which Military Government is directly concerned. The Germans, however, may in many instances not be able to cope with the problems themselves. They are likely to ask for assistance and Military Government may have to lend assistance in its own interest.

II. RECOMMENDATIONS

A. General Considerations

The control of roughly 12 million German children and juveniles in the age group from 6 to 18 is bound to present major problems. It is likely to present itself under a number of different aspects, such as youth guidance and juvenile welfare, health care, formal education, juvenile unemployment, and juvenile and child labor. Consequently

it will be touched upon briefly in all Civil Affairs Guides which are to deal with these fields. Aside from these problems, however, there remains the general problem of youth control in relation to the Nazis. This can be divided into three parts:

First, the destruction of the Nazi controls represented by the Hitler Youth and its cooperating organizations, such as the German Labor Front, and the National Socialist People's Welfare Scheme.

Second, the establishment by appropriate German groups of new organs which can be entrusted with the execution of measures regarding youth welfare and youth guidance, and with the controls over youth.

Third, the supervision of these agencies and of such organizations and programs as may be suggested by German groups with a view to the eventual revival of legitimate youth activities.

B. Dissolution of the Hitler Youth

In order to enforce the general directive on the elimination of the Nazi Party, it will be necessary to eliminate the Hitler Youth without delay. The process is likely to fall into two phases: First, the dissolution of the Hitler Youth, the abrogation of its statutes, and the seizure of all its property; second, the apprehension of its higher leaders and the maintenance of close watch over those leaders of the Hitler Youth who are not detained.

1. Dissolution of the Hitler Youth and the abrogation of its statutes.—

a. Dissolution of the organization.—The Hitler Youth and all its subformations should be dissolved without delay in a proclamation issued by Military Government and made public throughout the occupied territory.

b. Abrogation of Hitler Youth legislation.—All laws, decrees, and executive regulations referring to the Hitler Youth and empowering it with functions of any kind should be abrogated by Military Government, thus eradicating both the Hitler Youth's jurisdiction over German youth and its interference with other agencies, such as the Labor Front, the school system, and the juvenile courts. All representatives of the Hitler Youth ("youth trustees") in other agencies, on school faculties,⁵ in factories or youth offices should be immediately removed.

c. Cessation of activities.—All activities of the Hitler Youth, open, disguised, or clandestine, under its old or any new name should be declared illegal and made severely punishable under Military Government regulations.

d. Suspension of training schools.—The training schools, especially the Reich Youth Leadership Academy, and the camps of the Hitler Youth, should be seized immediately. While they are unlikely to be functioning at the cessation of hostilities, their functions should be officially suspended.

e. Seizure of property.—All property owned or leased by the Hitler Youth or loaned to it should be taken into custody by Military Government. At some later appropriate time, Military Government may consider placing such property on a temporary lease basis at the disposal of other German youth agencies or of the schools.

⁵ See CA Guide "German Elementary Schools under Military Government."

f. Uniforms and insignia.—The wearing of the insignia or badges of the Hitler Youth should be prohibited. Although it would be undesirable also to forbid the wearing of uniforms, the clothing shortage may make such a prohibition inadvisable.

2. Detention, investigation, and surveillance of Hitler Youth leaders.—

a. The Führerkorps.—The members of the Führerkorps of the Hitler Youth are likely to be among the most dangerous elements in perpetuating Nazism. They are adult leaders with high responsibilities and their complete National Socialist allegiance can be taken for granted. They should be arrested immediately and held pending further investigation.

The Führerkorps comprises all higher leaders of the Hitler Youth and all full-time employees, aside from clerical help working in the Reich, Gau, and district offices of the Hitler Youth. Their number is about 10,000 and they include the following leaders:

Reichsjugendführer	Hauptbannführer
Stabsführer	Oberbannführer
Obergebietsführer	Bannführer
Gebietsführer	Bannmädelführerin
Gebietsführerin	

Teachers and administrative personnel of the Hitler Youth schools mentioned above should likewise be arrested.

b. Investigation of minor leaders.—The lesser, unpaid leaders of the Hitler Youth possess much less authority than the members of the Führerkorps and have risen to their positions for a variety of reasons. Their Nazi allegiance may in a number of instances be doubtful; it is even possible that non-Nazis may be found among them. It would appear inadvisable to arrest them indiscriminately. However, at least the adult leaders, from *Scharführer* to *Oberstammführer*, should be carefully investigated and, if found guilty of Nazi activity or Nazi beliefs beyond their professional obligations, should be treated as the individual case may warrant. Because of the great number of such minor leaders, Military Government may find it necessary to conduct the investigation through an appropriate local German agency rather than directly. (See below, II, D, 3, c.)

c. Surveillance of minor leaders.—All active Nazis among adult leaders on the lower level, should at least be put under surveillance. They should be barred, at least at first, from participation in any youth or political organization and from any teaching or public activity. In addition to the adult leaders, juvenile leaders and members of the Hitler Youth proper may have to be placed under surveillance if they are considered active Nazis or if they belong to any of the elite organizations of the Hitler Youth. This applies especially to juvenile members of the *Streifendienst* and for all others who are under training by the SS and are thus potential SS men. They should be barred from assuming leadership in any youth organization that may be formed under the leadership of Military Government.

C. Transfer of Hitler Youth Functions

The functions of the Hitler Youth concerning juvenile welfare and youth guidance, which were taken over after 1933 from other youth agencies, should whenever possible revert to the jurisdiction of these agencies.

1. Youth offices.—*a. Jurisdiction.*—Two alternatives present themselves regarding Youth Offices.

First, in accordance with the regulations of the Youth Welfare Law of 9 July 1922, questions of juvenile welfare and youth guidance could revert to the local and regional youth offices insofar as such questions were handled by these offices prior to 1933. The legal basis of the youth offices and of their activities has never been abrogated by the Nazis. Consequently, the organization of the youth offices, including State youth offices (*Landesjugendämter*) in the Prussian provinces and the German states, and municipal or county youth offices on the local level, may be maintained as far as they still exist, or reestablished if eliminated by the Nazis. In case their operations have been impeded by Nazi regulations or supplanted by Nazi organizations, these offices should be assisted in attempts to reestablish their jurisdiction.

Second, the present youth offices, rather than being reestablished, could be incorporated as special sections into the general welfare bureaus.⁶ This might simplify the administrative setup of youth welfare. It could probably be done without great difficulty; before 1933 many youth sections in the general welfare bureaus pursued tasks which elsewhere were in the hands of the regular youth offices.

Whichever alternative is chosen the functions of the youth welfare agency would include (1) on the regional level, the supervision and coordination of the local offices, and the administration of educational institutions for the underprivileged as well as for delinquent children and (2) on the local level, the care of dependent orphans and of foster children, guardianship over illegitimate children, prenatal and maternal care, and care and training for neglected and delinquent children.

Youth guidance, including assistance before juvenile courts, and juvenile health care, as a rule, have been taken over by the Hitler Youth and the NSV; wherever the youth offices or their substitutes are in a position to fulfill these functions efficiently they should be allowed to resume them. Cooperation between the youth offices and traditional private religious and nonsectarian agencies of child care and juvenile protection no longer exists. No hindrance should be placed in the way of German attempts to reestablish such cooperation. It is unlikely, however, that Military Government will be able to rely to a large degree on the youth offices as active and efficient agencies, at least during the initial period of occupation.

b. Purge of personnel.—The personnel of the youth offices should be purged of all active Nazis. This will include suspending all directors of the state youth offices and of municipal youth offices in larger cities. The remaining personnel of all youth offices should be carefully investigated.

2. Other agencies.—The youth offices on the local and regional levels should be placed in a position to cooperate, as soon as they can function efficiently, with other agencies in the field of youth guidance.

a. Guardianship.—In matters of guardianship the youth office should cooperate with the guardianship courts (*Vormundschaftsgerichte*).

b. Juvenile delinquency.—The jurisdiction of the juvenile courts will increase automatically through the disappearance of the Hitler youth courts. Cooperation with the juvenile courts, at present in the

⁶ See CA Guide "Public and Private Welfare in Germany."

hands of the Hitler Youth, should revert to the youth offices as early as possible. The Nazi modifications of juvenile law should be abrogated,⁷ especially such features as the extension of criminal responsibility to children from 12 to 14 years; the provision extending adult criminal law to juveniles between 16 and 18 years at the discretion of the court; the provision excluding non-German juveniles from the jurisdiction of juvenile courts; the new forms of punishments such as youth arrest, juvenile imprisonment, juvenile concentration camps, and juvenile forced labor. All these alterations are laid down in the Decree on the Unification and Simplification of Juvenile Criminal Law of 6 November 1943;⁸ it should be abrogated and replaced by the previous law of 1932.⁹

c. Juvenile and child labor and juvenile employment.—The youth trustees in the individual factories and on higher levels should be dismissed, the special sections for juveniles in the employment offices should make provisions for cooperating with the youth offices. The regulations for the special protection of working youth as laid down by the Nazi government in the Law of 30 April 1938¹⁰ need not be abrogated, aside from the preamble of the law. (As soon as conditions permit, it will probably be in the interest of Military Government not to interfere with possible attempts by German authorities (in the first place the factory inspectors), to put these regulations again into force wherever their application was temporarily suspended under pressure of the war or of occupation conditions. In case Military Government acts as employer, it is recommended that it comply as far as possible with these regulations. However, the Nazi regulations concerning special punishment for breaches of shop discipline by juveniles should be abrogated as soon as Military Government feels that law and order can be maintained without them.

d. Health care.—Cooperation with health offices, at present in the hands of the Hitler Youth and the NSV, should revert to the youth offices.¹¹ General direction should rest with Military Government.

e. Cooperation with other agencies.—Church organizations and other sectarian and nonsectarian agencies should be encouraged to cooperate with the youth offices and to act for them in practical matters as they did prior to 1933. Their ability to do so will depend on whether these organizations are still intact and prepared to function in the field of youth welfare and youth guidance.

D. Supervision of Youth

1. General considerations.—It is doubtful that the transfer of the functions from the Hitler Youth to new organizations can be initiated effectively during the emergency period. The whole administration is likely to be disorganized, the youth offices and all other agencies, which prior to 1933 were concerned with matters of youth guidance, have since lost so much of their authority and jurisdiction to the Hitler Youth, the NSV, and other Party agencies that it is doubtful whether they will be able to function effectively. Moreover, the tasks of all these various agencies have by definition always been limited to spe-

⁷ See Civil Affairs Guide "Administration of German Criminal Justice under Military Government."

⁸ *RGBL*, 1943, I, 635 ff.

⁹ *RGBL*, 1923, I, 135, 252 ff.

¹⁰ *RGBL*, 1938, I, 437 ff.

¹¹ Decree of 1 November 1943, *RGBL*, I, 543 ff.

cific fields: the youth offices are concerned with underprivileged and physically or mentally endangered youth, or with juvenile criminals; the juvenile courts, with juvenile delinquents; the health offices, with sick children and juveniles; the labor offices, with unemployed juveniles and problems of child and juvenile labor. None of them is concerned with or in a position to handle the two main functions which the Hitler Youth has pursued aside from its political aims; first, coordination among the various offices and between them and the schools; second, the organization of supervision over youth as a whole, not only the relatively small group of the underprivileged or the criminals. To neglect these tasks would run contrary to the interests of Military Government and might even endanger military security.

Aside from these considerations, there is another aspect of the broad problem of youth and youth guidance in Germany in the post-war period which is closely connected with the basic aims of the United Nations, namely, the fostering and encouragement of democratic attitudes and tendencies wherever they may be found. No field is likely to be more suitable for planting democratic ideas. In contrast to the leadership principle of the Hitler Youth, in which all authority descended from above, democratic elections among the young people themselves, to select their own local club or group officers and representatives (of course with the help and advice of older persons) should be encouraged wherever any inclination in that direction manifests itself. Not only is it necessary to fill the gap left by the dissolution of the Hitler Youth; it is necessary to replace it by something that does away with its objectionable features and replaces them by others equally positive.

2. Military government supervision of youth guidance.—It would seem advisable to entrust the officers in charge of schools on the local, regional, and higher levels with the over-all supervision of all matters concerning youth. In addition to supervising schools, they would also supervise the youth offices and all other offices, so far as these are concerned with youth questions. Close cooperation will be necessary with the officers in charge of supervising the youth offices and all other offices, so far as these are concerned with youth questions, and with the officers in charge of public health, welfare, and labor. The more important tasks of these officers will, however, consist in the general guidance of youth.

Under the supervision of Military Government, the over-all direction and coordination of the youth program should be if possible in the hands of a German authority. On the national level the Ministry of Education might assume this function; on the regional and local levels German educational authorities might have over-all charge of youth matters. Their main functions would consist in the directing and supervising of youth organizations and youth activities. In handling other problems, such as youth welfare and labor, the educational authorities should cooperate closely with the competent German agencies.

3. Youth and school councils.—The totality of these tasks presents a problem of such dimensions that Military Government in all likelihood will neither be able nor justified to act in a more than supervisory capacity. Military Government may, therefore, find it advisable to establish under its supervision a German agency to operate in the field of youth guidance. None of the agencies remaining after the

elimination of the Hitler Youth appears to be suitable for this task. Consequently, it is recommended that a youth and school council be permitted in every municipality or county when military security permits. Such a local German agency, consisting of trustworthy anti-Nazis, is desirable for three reasons: It will diminish friction between Military Government and youth; it will free Military Government from the performance of petty details and allow Military Government to concentrate on more important problems; it will be better acquainted with the local situation than Military Government.

a. Position of the council.—It is suggested that in all matters of school supervision and youth care the council be responsible to the mayor or *Landrat*, appointed or approved by the Military Government and through these authorities to the Military Government. Youth control, on the other hand, would best remain as free from official inference as possible; it is, therefore, recommended that in these matters the council act autonomously and be subject merely to the supervision and approval of its decisions by the Military Government.

b. Selection and composition of the council.—Before local elections can be held, the mayor or one of his associates should select the members of the youth and school council.

After local elections are held, the newly elected local assembly may appoint the youth and school council as a subcommittee consisting of assembly members and other citizens chosen by cooptation.

The council will serve in a capacity auxiliary to the Military Government. For all technical questions, it will be in a position to rely on the advice of specialists, such as the school supervisor or the director of the local youth office. Consequently, it would appear to be more important that the council members be non-Nazis selected on the basis of character and intelligence rather than educational standards.

c. Functions of the council.—The functions of the council should include:

i. Schools.—The council should give advice to the Military Government on such problems as the supervision of elementary and secondary schools, de-Nazification of teachers, curricula, and textbooks; and possible changes in school types. In these tasks the council should make use of the technical experience of the local school supervisor and of the school principals.¹²

ii. Supervision of youth care and guidance.—In this task the council should make use of the technical experience of the youth office (*Jugendamt*) if and where such an office is established. The youth office should function on the operative level under the supervision of the youth and school council. If no youth office is established, the council may consider appointing for this purpose a subcommittee composed of persons experienced in welfare activities.

iii. General youth supervision.—This should include supervision and cooperation on all matters concerning the general control of youth; suggestions regarding youth activities, in connection with the schools or churches, or independently; investigation of Hitler Youth leaders of lower rank; investigation of the program, the sponsors, and leaders of new youth organizations; assistance to such organizations.

4. Youth activities.—*a. General policy.*—The dissolution of the Hitler Youth and the discontinuance of its functions are bound to create

¹² See Civil Affairs Guide "German Elementary Schools Under Military Government."

a vacuum in the control of German Youth. None of the regular institutions in charge of youth, such as home, school, youth office, workshop, welfare organizations, singly or combined, will be able to take over the functions for which the Hitler Youth was responsible. The special organization of youth activities outside of class and working hours is therefore essential to the effective supervision of German Youth.

The appearance of foreign interference should obviously be avoided. Consequently it would seem unwise for Military Government itself to take too active a part in the organization or detailed supervision of youth groups. Military Government should take especial care to avoid antagonizing either the young people themselves by too much show of authority (except in matters which are clearly its concern), or the parents and teachers, whose resentment of the Hitler Youth was partly on the ground that it interfered with their former authority. On the other hand, it would appear highly advisable to support German efforts to form organizations for keeping children and juveniles busy; this would automatically allow for supervision. Local conditions will determine whether to undertake attempts in this direction. A few principles may be suggested:

i. Measures concerned with the activities of children and juveniles may be undertaken by German individuals or semiautonomous public agencies or by organizations established for this purpose. The program, the sponsoring groups and personalities, and the personnel of these organizations should be submitted to Military Government for approval.

ii. No youth organization or youth activity set up by any German body should be compulsory in character.

iii. During the early period of occupation, youth organizations and activities should probably not be allowed to assume a nation-wide scope. This prohibition should be lifted only after Military Government has convinced itself of the genuinely non-Nazi character of the organizations.

b. *Program.*—It would appear to be in the interest of Military Government to see that programs of activities be devised as early as possible by local groups under the responsibility of the local school and youth council. (The groups acceptable for such activities will be discussed below.) The basic aim of such activities would be to organize to some degree the leisure time of school children and of working youth with a view to keeping them occupied and under supervision. Moreover, under proper leadership the youth organizations may play an important role in the de-Nazification of young minds, and in the reorientation of their political and ideological concepts.

During the first period of emergency, all children 10 to 14 and older juveniles might be permitted to participate in general work of reconstruction; supervision of younger children; welfare tasks in the community, such as the distribution of clothing and food; clearing streets of debris; harvesting and gardening; and similar tasks. However, participation in such tasks should not be compulsory. When possible, normal youth activities such as hiking, games, and sports might be permitted, although Military Government should be on its guard against any militaristic tinge in these activities. Military Government might consider placing at the disposal of responsible German elements the facilities confiscated from the Hitler Youth.

In time responsible German authorities may suggest the establishment of a voluntary labor service for unemployed juveniles similar to pre-Nazi institutions in Germany. Military Government should approve such a project only if it is satisfied that it will be run on a non compulsory, nonmilitaristic, non-Nazi basis clearly distinct from the Nazi compulsory labor service and that it represents no unfair competition to regular employment. Even so, it would appear advisable to keep such a service on the local level.

c. Organizations and personnel.—i. General considerations.—With regard to organizing such youth activities, Military Government will no doubt play a purely supervisory role, its functions will probably be those of policing. A number of responsible German agencies are likely to be interested in organizing youth activities if they are permitted to do so; in the first stage the schools and possibly the churches; in the second stage, youth groups sponsored by the churches, the trade unions, political parties, or semipolitical groups. It will be the difficult task of Military Government to exclude objectionable elements among such groups and to admit those which can be counted upon to operate in a manner suitable to the interests of the occupying forces.

ii. Procedure of admission.—Military Government should be responsible for the approval of youth activities and the admission of youth organizations. In view of the great difficulties and responsibilities involved, it may be advisable that local Military Government make final decisions as to the sanctioning of groups and the issuing or suspending of permits after consultation with both the educational and political Military Government officers on the regional or higher levels.

Any group, in order to gain admission, should submit an application giving detailed information on the personal history (political affiliation, present and previous association with youth organizations) of all members of the directorate of the organization, and the general and specific programs. This application may be forwarded by Military Government to the youth and school council for investigation and recommendation. However, Military Government should not necessarily base its decisions exclusively on the recommendation of the council. After consultation with the higher Military Government authorities, a temporary permit should be issued by local Military Government allowing the operation of the organization for a limited period under conditions stated in the application.

iii. Acceptable groups.—As a rule it would be advisable to issue permits only to groups wishing to engage in the organization of youth activities. Individuals should be only exceptionally permitted to do so.

The question of the political reliability of groups which may apply for setting up youth organizations can be decided only within the general framework of Military Government policy.¹³ Obviously, Nazi or disguised Nazi and reactionary groups cannot be allowed to organize, or to play any part in organizing youth groups. It is impossible to determine how far the beliefs and principles of the liberal pre-Nazi organizations survive, but undoubtedly the Nazis and related elements may attempt to organize youth under the disguise of liberal programs. To avoid the growth of any such youth organization, the

¹³ See Civil Affairs Guide "Policy Toward Revival of Old Political Parties and Establishment of New Parties."

scrutiny of all groups and of their programs, sponsors, and personnel should be extremely careful. As a rule, organizations run by democratic political parties, trade unions, groups modeled on the Y. M. C. A., Boy Scouts, *Wandervögel*, and groups organized by the churches would seem to be admissible.

The supervision of the activities of all groups and the penalties for breach of proper conduct should be extremely severe.

In most cases the question of the personnel making up the proposed youth organizations will be more important than their alleged or genuine programs and name. No persons formerly affiliated with the Nazi Party or its noncompulsory affiliated organizations should be admitted as sponsors or as members of the staff of any youth organization. The same holds true of Hitler Youth leaders even of lower rank. Active Nazis, persons formerly affiliated with militaristic groups similar to those operating after the last war, former professional officers, and adherents of groups whose programs are close to the Nazi ideology should definitely be excluded.

No group should be accepted which includes any persons in the above categories. No person, whatever his professional training or background, should be considered above suspicion.

APPENDIX A. IMPORTANT YOUTH ORGANIZATIONS UNDER THE WEIMAR REPUBLIC

A. Religious Groups

1. *Catholic:*

Verband katholischer Jugend- und Jungmännervereine.
Katholische Jungfrauenvereine.
Gesellenvereine.
Quickborn.

2. *Protestant:*

Reichsverband der Christlichen Jungmännerbünde und
verwandter Bestrebungen.
Evangelischer Verband für die weibliche Jugend.
Bibelkreise.
Christliche Pfadfinder.

3. *Jewish:*

Verband jüdischer Jugendvereine.
Wandervögel Blau-Weiss.
Kadihma.
Kameraden.

B. Trade Unions

1. *Nationalistic:*

Deutschnationaler Handlungsgehilfenverband.
Bund der Kaufmannsjugend.

2. *Non-Nazi:*

Zentralstelle für die arbeitende Jugend Deutschlands.
Gewerkschaftsjugend der Christlichen Gewerkschaften.
Jugendbund in Gewerkschaftsbund der Angestellten (affiliated to social democratic trade unions).

C. Political Youth Groups

1. *Social Democratic:*

Verband der Arbeiterjugendvereine Deutschlands.
Kinderfreunde Bewegung.

2. *Communist:*

Kommunistischer Jugendverband.
Jungspartakusbund.
Rote Jungfront.

3. *Liberal:*

Reichsbund der Demokratischen Jugendvereine (Democratic Party).
Reichsverband der Deutschen Windhorstbünde (connected with Center Party).

4. *Reactionary and Nazi:*

Reichsjugend der Deutschen Volkspartei.
Jungstahlhelm (German National Party).
Scharnhorstbund (German National Party).

C. Political Youth Groups—Continued.

4. *Reactionary and Nazi*—Continued.

Bismarckbund der Deutschnationalen Volkspartei (German National Party).

Verein für das Deutschtum in Ausland (German National Party).

Hitler Jugend.

D. Groups of the Free Corps

Jungdeutscher Orden.

Ordensgemeinschaft Jungdeutscher Schwesternschaften.

Jungwolf.

Tannenbergbund.

E. Independent Groups

Wandervogel.

Pfadfinder.

APPENDIX B. RANKS AND UNITS OF THE HITLER YOUTH

Reichsjugendführer (*Reich Youth Leader*)

Stabsführer (*Chief of Staff*)

Obergebietsführer (*Chief of a Region*)

(*There are 42 Gebiete in Germany, corresponding to the areas of the Party Gaue*)

Gebietsführer (*Regional Leader of Boys*)
Hauptmannführer
Obermannführer
Bannführer

Gebietsführerin (*Regional Leader of Girls*)
Bannmädelführerin

(*Bann = area of a Party Kreis*)

Oberstammführer
Stammführer
(*Stamm = battalion, about 600 members*)

Mädelführerin

Jungmädelführerin

Hauptgefolgschaftsführer
Obergefolgschaftsführer
Gefolgschaftsführer
(*Gefolgschaft = company, about 150 members*)

Mädeldruppenführerin

Jungmädeldruppenführerin

Oberscharführer
Scharführer
(*Schar = platoon, about 50 members*)

Mädelscharführerin

Jungmädelscharführerin

Oberkameradschaftsführer
Kameradschaftsführer
(*Kameradschaft = section, about 15 members*)

Mädelschaftsführerin

Jungmädelschaftsführerin

Rottenführer
(*Rotte = squad, about 7 members*)

Herdenführer

HITLER JUGEND

JUNGVOLK

BUND DEUTSCHER MÄDEL

JUNGMÄDELBUND

